

RESOLUTION 1999- 3

A RESOLUTION GRANTING  
CONSENT TO THE  
FORMATION OF A SEWER  
DISTRICT IN PIGEON TOWNSHIP

WHEREAS: The Trustee of Pigeon Township, Warrick County, has filed his request for consent to the formation of a sewer district in Pigeon Township, and

WHEREAS: The Council, having considered the Petition and now being duly advised in the premises, concludes that the Petition should be granted.

NOW, THEREFORE, BE IT RESOLVED:

That the Warrick County Council grants its consent to the Trustee of Pigeon Township, Warrick County, Indiana, for the formation of a regional sewer district in Pigeon Township, Warrick County.



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President, Warrick County Council

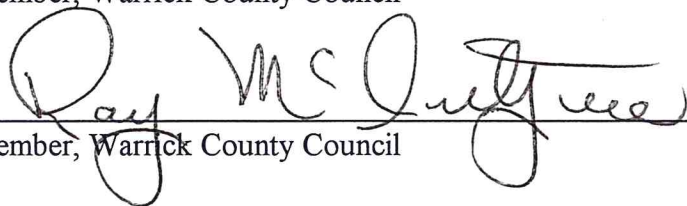


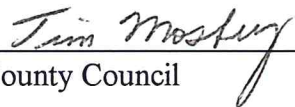
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Member, Warrick County Council

  
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ATTEST:

  
Auditor, Warrick County

PETITION OF THE PIGEON  
TOWNSHIP TRUSTEE FOR  
APPROVAL OF THE FORMATION  
OF A SEWER DISTRICT IN  
PIGEON TOWNSHIP,  
WARRICK COUNTY

Comes now the Petitioner, The Trustee of Pigeon Township, Warrick County, by counsel, and pursuant to IC §13-26, requests consent from the Warrick County Council for the formation of a sewer district in Pigeon Township. In support of this Petition, the Trustee would show the council:

1. Pursuant to IC § 13-26-2-2 and IC § 13-11-2-62 through -82 the Council may be an "eligible entity" within the meaning of those statutes. The formation of the district requires consent from all "eligible entities."

2. The sewer district proposed to be formed will be called the Pigeon Regional Sewer District of Warrick County with boundaries coterminous with the boundary of Pigeon Township, Warrick County. The power to form the sewer district is vested by law in the Indiana Department of Environmental Management.

3. Petitioner has, through Commonwealth Engineers, Inc., undertaken the design of the wastewater system to be installed in the district. H. J. Umbaugh and Associates, LLP, has been engaged as the financial consultant on the project and projected sewer rates have been calculated based upon the design of the system. The system to be built is proposed to be a lagoon style treatment system with both gravity and pressure pipe for the collector system. The initial capacity of the treatment lagoon is proposed to be rated for 38,000 gallon per day of flow and the projected cost per single family rate payer is projected at \$50 per month.

4 . The need for the proposed district has long been recognized by residents and business in the area, by the Warrick County Board of Health, the Warrick County Commissioners and Council, the Petitioner herein and the public generally for the reason that sanitary sewage disposal is provided in the area by each homeowner or business through an on-site septic tank, or other on-site disposal system, many of which leak, have failed or will fail. The absence of public sanitary sewer service has contributed to environmental contamination and suppression of development in the Township.

5. The purpose to be accomplished by the formation of the District is the reduction of pollution of the environment by elimination of inadequate septic systems, the construction of sanitary sewer collection system and a sewage treatment plant.

6. Creation of the district will be conducive to the public health, safety, convenience and welfare of the residents of the District for the following reasons:

(A) No sanitary sewer system exists in the Township.

(B) Sewage collection, disposal and treatment in the Township is currently being provide by individual septic tanks at each residence or place of business. Those tanks which have failed or are failing are contributing to the pollution of the environment in the Township and create a hazard to the health, welfare and safety of the residents of the Township. In many instances replacement of the failed or failing septic tanks is not feasible due to the cost, condition of the soil or parcel size.

(C) There is no publically or privately owned treatment works in the Township for treatment of sanitary sewage which inhibits the ability of the residents to alleviate environmental concerns created by failed and failing septic systems.

7. There is no outstanding indebtedness for the purpose proposed in the proposed district



except that the Warrick County Board of Commissioners has advanced the sum of Fifty Thousand (\$50,000.00) to the Pigeon Township Trustee to form the District pursuant to IC § 13-26-7-2, which sum shall become an obligation of the District for repayment to the County pursuant to IC §13-26-7-3. The absence of a sanitary sewer system hinders industrial and commercial growth in the Township which contains a full cloverleaf interchange of undeveloped real estate at I-64 and SR 161. That interchange has available all other necessary utility services for development of the real estate except sanitary sewers. Further, the absence of sanitary sewers has limited residential growth in the Township because the requirements of Warrick County and the Indiana Department of Health, as they apply to septic tanks, prohibit, in many instances, construction of economically viable residential subdivisions.

8. The number, manner of selection and terms of the Board of Trustees of the District will be recommended to IDEM as follows:

(A) The District Board shall be five (5) Trustees.

(B) The initial Board shall be composed of the Pigeon Township Trustee, each member of the Pigeon Township Board and a fifth member appointed by the Warrick County Commissioners as provided by IC § 13-26.. Such Trustees' terms shall be until the next general election at which the Trustee and Advisory Board for Pigeon Township stand for election.

(C) Thereafter, the Board of Trustees shall be selected as follows:

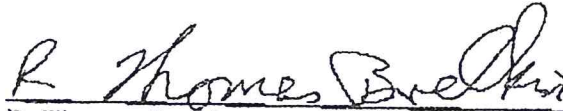
1. One member shall be appointed by the Warrick County Commissioners to a term of four years.
2. One member shall be the elected Pigeon Township Trustee.
3. Three members shall be the elected Township Board of Pigeon Township.

WHEREFORE, the Petitioner requests that the Council adopt its resolution consenting to the formation of the sewer district as requested herein.

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ATTORNEYS FOR PETITIONER

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